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Attorney for Petitioner,
ALFRED LEE GRAYSON

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

ALFRED LEE GRAYSON,)	No. Civ. S-03-1694 MCE KJM
)	
Petitioner,)	STIPULATION AND
)	ORDER FOR MODIFICATION OF
v.)	BRIEFING SCHEDULE
)	
TOM L. CAREY, Warden,)	
)	
Respondent.)	
_____)	

This matter is in the District Court after remand from the Ninth Circuit. Pursuant to the remand order, the court is to consider the issue of procedural default, and if there is no procedural default, is to evaluate the confrontation clause claim pursuant to *Ohio v. Roberts*, 448 U.S. 56 (1980).

The parties have previously stipulated to a briefing schedule. Due to the birth of defense counsel's twin boys on August 17, counsel is requesting additional time to submit briefing. In light thereof, the parties have stipulated to the modification of the briefing schedule. To afford counsel additional time needed to research and brief this matter, the parties hereby stipulate and agree that the court adopt the following briefing schedule concerning the procedural default issue and the application of *Ohio v. Roberts*: petitioner's points and authorities will be due **December 4, 2009**, respondent's points and authorities will be due **January 4, 2010**, and petitioner's reply will be due on **February 4, 2010**.

1 DATED: September 24, 2009

/s/ Tim Warriner, Attorney for Petitioner,
ALFRED LEE GRAYSON

3 DATED: September 24, 2009

/s/ Janis McLean, Deputy Attorney General,

5 ORDER

6 GOOD CAUSE APPEARING, and pursuant to the stipulation of the parties, it is hereby
7 ordered that petitioner's points and authorities will be due December 4, 2009, respondent's
8 points and authorities will be due January 4, 2010, and petitioner's reply will be due on February
9 4, 2010.

10 DATED: September 30, 2009.

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12 U.S. MAGISTRATE JUDGE
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